

REMARKS/ARGUMENTS

The present amendment is submitted in an earnest effort to advance the case to issue without delay.

Claim 1 was rejected under 35 U.S.C. § 102(b) as anticipated by US Patent 4,574,788 (Jordan). Applicants traverse this rejection.

Claim 1 has been amended to provide further structure with regard to the "toothbrush". Most particularly, the resilient element has now been characterized as extending from a surface of the brush head. Jordan forms the "resilient element 18" in the handle rather than on a brush head. There can be no anticipation in view of this deficiency with respect to Jordan.

Claims 2-8 were rejected under 35 U.S.C. § 103(a) as unpatentable over Jordan '788. Applicants traverse this rejection.

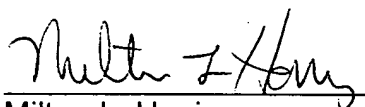
Jordan is concerned with a back scratcher. The resilient element 18 is utilized as a handle rather than as part of a toothbrush. Anyone skilled in the art seeking to polish teeth would hardly be led to the technology of back scratchers. Neither does this reference recite any of the specific weight percentages, particle diameters, and bulk density of the perlite held within the elastomer. These aspects are particularly targeted at brightening teeth.

Several additional claims have been added. These find support in the drawing and the specification at page 7 (lines 7-15) and page 13 (lines 1-14).

Applicants thank the Examiner for the allowability of claim 9.

In view of the foregoing amendment, it is respectfully requested that the Examiner reconsider the rejections with respect to the article claims.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Milton L. Honig", is written over a horizontal line.

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